

PAYMENT SCHEDULE FOR COURT-ORDERED MONETARY PENALTIES

Name: Damin Lewis Docket #: 1:02CR00104
 Address: 2720 Price Hill, Apt#. 1, Cincinnati, Judge: The Honorable Herman J. Weber
 OH 45204

You have been ordered by the United States District Court to pay a special assessment of \$ 100.00, restitution of \$ 0, and/or a fine of \$ 500.00, as a condition of your supervision (probation, parole, or supervised release).

Probation Officer's Recommendation:

It is the recommendation of the Probation Officer that the court order a payment schedule in the amount of \$ 25.00, commencing 5-2-05. This is based on the following analysis of your ability to pay: Lewis has paid his special assessment in full. He owes \$450.00 on the fine. The agreed amount will allow Lewis to pay in full during supervision.

Robert C. Fromm
 U. S. Probation Officer

4/28/05
 Date

Order of the Court: The Court orders minimum monthly payments of \$ 25.00 to commence on 5/2/05 and to continue until the debt is satisfied or the Court alters the payment schedule.

[Signature]
 Signature of Judicial Officer

5/2/05
 Date

Instructions to offender: Payments must be in the form of a Money Order, Certified Check or Cashier's Check. **Personal checks will not be accepted.** The check or money order must be made payable to: Clerk, U.S. District Court. Please reference the docket # listed above on the check or money order. Submit the payment directly to the Clerk of Courts at:

United States Clerk of Courts
 324 Potter Stewart U. S. Courthouse
 100 E. Fifth Street
 Cincinnati, Ohio 45202

Note: Your restitution/fine bears or does not bear (strike one) interest. There could be additional monetary penalties for payments that come past due as outlined in the attached General Instructions Regarding Special Assessments, Restitution and Fines for Persons Under Supervision. I agree to make payments as outlined above. I understand that failure to abide by this agreement could result in revocation of my supervision and other penalties. If for any reason I am unable to make a scheduled payment, I will contact my Probation Officer immediately to advise. I hereby acknowledge that I have received a copy of this schedule and agreement.

 Defendant

 Date

 U.S. Probation Officer

 Date

Original: Probation file

Copies: Defendant, Clerk of Court, US Attorney office, FLU

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
U.S. Probation Office**

**General Instructions Regarding Special Assessments,
Restitution and Fines for Persons Under Supervision**

Your sentence in the United States District Court provided for payment of one or more of the above type monetary penalties. The purpose of these instructions is to provide you with additional information and special requirements of these obligations.

Regarding Restitution and Fines

Nonpayment of Court-ordered restitution and fines is a violation of supervision which will be reported to the Court and/or Parole Commission. Noncompliance with payment may also result in the denial of leisure/recreational travel. Furthermore, you may be required to seek part-time employment, complete financial planning counseling, or reduce current expenditures.

No case with unpaid monetary obligations shall reach expiration of supervision without appropriate action from the Court or Parole Commission.

General Information

a. Special Assessments, Restitution and Fines

Payable to Clerk U.S. District Court, in the Clerk's Office in the Division in which sentence was imposed.

b. Method of Payments

- (1) Special Assessments, Restitution and Fines – Payable to Clerk, U.S. District Court, in the form of a money order, certified check or cashier's check. Personal checks are not accepted. Cash payments may be made only when making direct payments in person at the Clerk's office.

c. Due Dates for Special Assessments, Restitution and Fines

- (1) Immediate Payment – unless otherwise ordered by the Court, the total amount of the special assessment, restitution or fine ordered is due and payable immediately.
- (2) Deferred Payment – If the Court has allowed deferred payment of your special assessment, restitution or fine, there is a date certain that the obligation is due in full.
- (3) Installment Payment – If the Court has allowed you to make installment payments, a payment plan will be outlined by the Court (or by your Probation Officer).

d. Interest

The law requires that interest be computed on all restitution and fines in excess of \$2,500. Interest is computed on a daily basis at a rate equal to the rate of U.S. Treasury bills. Interest for fines is imposed for offenses committed after 12/11/87, and on all restitution imposed for offenses committed after 4/24/96. The U.S. Attorney, Financial Litigation Unit, makes those

computations. Interest applies to all restitution and fines in excess of \$2,500 unless:

- (1) Waived by the Court, or
- (2) If paid in full within 15 days after imposed.

e. Penalties for Late Payments

- (1) Delinquent Payments - Federal law provides that if the payment of a fine or restitution is more than 30 days late, you are delinquent and must pay as a penalty an amount equal to 10% of the principal amount that is delinquent.
- (2) Default - Federal law provides that if payment of a fine or restitution is more than 120 days late, you are in default and must pay as a penalty an amount equal to 15% of the principal amount that is delinquent. Additionally, once a payment is in default, **the entire amount of the fine and restitution, plus all penalties and interest, is due within 30 days after notification of default.**
- (3) Additional Penalties - If you fail to pay the restitution, fine or assessment, as well as penalties and interest, as ordered, the following additional actions may be taken:
 - (A) Your conditions of supervision may be modified, including the length of the term of supervision;
 - (B) Your wages may be garnished, property attached, or several other permissible enforcement/collection remedies may be utilized;
 - (C) Revocation of supervision (probation or supervised release) may occur and the Court may resentence you to the maximum statutory penalty.

f. Penalties for Willful Failure to Pay Fine and/or Assessment

Federal law provides that willful failure to pay fines and assessments constitute a separate offense. The penalty carries a maximum penalty of one year imprisonment and /or a fine of \$100,000 (or twice the unpaid balance of the fine).

g. Defendant's Liability for Unpaid Restitution or Fine

If the Court should allow your supervision to terminate and the amount of your fine has not been paid in full, the U.S. Department of Justice (U.S. Attorney's office) must still pursue collection of the unpaid balance. Collection of the unpaid balance can happen for 20 years.

h. Application for Payments

Monies received in payment will first be applied to assessments, then restitution and finally the fine.

I acknowledge receipt of a copy of these general instructions and have read them or had them read to me.

Defendant

Date

U.S. Probation Officer

Date